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PATENT & TRADEMARK OFFICE

021764PTO/SB/21 (07-06)

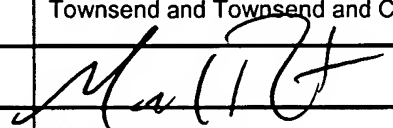
**TRANSMITTAL FORM**  
(to be used for all correspondence after initial filing)

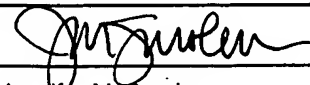
**CANCELLED**  
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OCT 16 2006  
PATENT & TRADEMARK OFFICE

Application Number	10/521,063
Filing Date	January 11, 2005
First Named Inventor	Lye, Whye-Kei
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	021764-000720US

Total Number of Pages in This Submission: 1

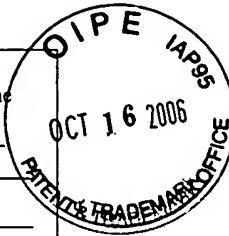
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Under 35 USC 371 in compliance with 37 CFR §1.497 (original, executed); Supp. ADS; Copy of Notification of Defective Response; Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Notification of Defective Response <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Michael T. Rosato		
Date	10/13/2006	Reg. No.	52,182

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Jennifer M. Smolen	Date	10/13/06

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10-13-06

By: J. M. Smolen



Attorney Docket No. 021764-000720US PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

WHYE-KEI LYE *et al.*

Application No.: 10/521,063  
I.A. No.: PCT/US2003/021611

Filed: January 11, 2005  
I.A. Filed: July 11, 2003

For: METHODS AND APPARATUSES  
FOR REPAIRING ANEURYSMS

Examiner: Unassigned

Art Unit: Unassigned

**RESPONSE TO NOTIFICATION OF  
DEFECTIVE RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Defective Response, mailed September 18, 2006, enclosed herewith to be made of record in the above-identified application, are the following documents:

- 1) Declaration Under 35 U.S.C. 371 in compliance with 37 CFR §1.497, fully executed, and properly identifying the present application (original);
- 2) Supplemental Application Data Sheet; and
- 3) Copy of Notification of Defective Response.

Applicants submit that it was believed that a declaration was properly filed in the corresponding international application (International Application No. PCT/US2003/021611) and, therefore, that a declaration had been properly filed under 37 C.F.R. §1.497 as of the date

the present application entered national stage under 35 U.S.C. 371 pursuant to 37 C.F.R. §1.495. In response to the Notification of Missing Requirements (mailed 8/15/2005) and the Notification of Defective Response (mailed 2/7/2006), Applicants submitted in good faith a copy of the declaration filed with corresponding International Application No. PCT/US2003/021611, further identifying the present application no. 10/521,063, which is a U.S. National Phase Application under 35 U.S.C. §371 of International Application No. PCT/US2003/021611. In order to expedite prosecution of the present case, however, and in response to the Notification of Defective Response mailed 9/18/2006 and a subsequent telephone interview between Applicant's representative and the USPTO representative, Applicants submit herewith a new and fully executed Declaration Under 35 U.S.C. 371 in compliance with 37 C.F.R. §1.497, and properly identifying the present application.

Applicants do not believe a fee is due in this matter; however, the Commissioner is hereby authorized to charge any necessary fee and any additional fees under 37 CFR §1.17 associated with this paper or during the pendency of this application, to Townsend and Townsend and Crew Deposit Account No. 20-1430. Two copies of this sheet are enclosed for accounting purposes.

Respectfully submitted,

Dated: 12/13/2006

By:   
Michael T. Rosato  
Reg. No. 52,182

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, CA 94111  
Telephone: (206) 467-9600  
MTR/jms  
60892048 v1

021764-000720US  
MTR, SE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1430  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/521,063	FIRST NAMED APPLICANT Whye-Kei Lye	ATTY. DOCKET NO. 021764-000720US
INTERNATIONAL APPLICATION NO. PCT/US03/21611		
I.A. FILING DATE 07/11/2003	PRIORITY DATE 07/11/2002	

Townsend and Townsend and Crew  
Lynn M. Thompson  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834

**CONFIRMATION NO. 6849**  
**371 FORMALITIES LETTER**

\*OC000000020442375\*

*Response Due 10/18/06*

Date Mailed: 09/18/2006

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Information Disclosure Statements filed on 05/19/2005
- Oath or Declaration filed on 03/07/2006
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

Applicant's response filed 03/07/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/15/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Per decision dated 16 Aug 06

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,063	PCT/US03/21611	021764-000720US

FORM PCT/DO/EO/916 (371 Formalities Notice)